



UNITED STATES PATENT AND TRADEMARK OFFICE

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BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

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MAILED


SEP 10 2003

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Applicants: Rettenmaier et al.
Application No.: 09/380,739
Filed: 12/15/99
For: Laundry Detergent Compact which
Disintegrates in Liquids

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,143.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).


Michael P. Tierney
Administrative Patent Judge

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Filed
September 10, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LEVER BROTHERS CO.
Junior Party,
(U.S. Patent No. 6,051,545),

v.

HENKEL KGAA
Senior Party,
(U.S. Patent Application No. 09/380,739).

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Patent Interference No. 105,143 (MPT)

NOTICE DECLARING INTERFERENCE
(37 CFR § 1.611)

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this NOTICE DECLARING INTERFERENCE.

Part B. Judge designated to handle the interference

Administrative Patent Judge Michael P. Tierney has been designated to handle the interference. 37 CFR § 1.610(a).

Part C. Standing order

A Trial Section STANDING ORDER accompanies this NOTICE DECLARING INTERFERENCE. The STANDING ORDER applies to this interference.

Part D. Conference call to set dates

A telephone conference call to set dates for taking action in the interference is scheduled for **11:00 a.m. on October 29, 2003** (the call will be initiated from the PTO).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile a list of the preliminary motions the party intends to file. See STANDING ORDER ¶ 10.

A copy of a "sample" order setting times for taking action during the preliminary motion phase of the interference accompanies this NOTICE DECLARING INTERFERENCE.

Counsel are encouraged to discuss the order prior to the conference call with the view to coming to some agreement as to dates for taking action. A typical preliminary motion period lasts approximately nine (9) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. The parties involved in this interference are:

Junior Party

Named inventor: Jelles Vincent Boskamp, Netherlands

Application: U.S. Patent No. 6,051,545, issued April 18, 2000, based upon U.S.
Application No. 09/093,631, filed June 4, 1998.

Title: Cleaning Compositions

Assignee: Lever Brothers Co.

Accorded Benefit: GB 9711831, filed June 6, 1997

Attorneys: See last page

Address: See last page

Senior Party

Named Inventor: Josef Otto Rettenmaier, Germany
Hans-Friedrich Kruse, Germany
Martin Holl, Germany
Harald Schlosser, Germany
Armin Ungerer, Germany

Application: U.S. Application No. 09/380,739, filed December 15, 1999.

Title: Laundry Detergent Compact which Disintegrates in Liquids

Assignee: Henkel KGAA

Accorded Benefit: PCT/DE 98/00589, filed February 28, 1998

DE 19709991, filed March 11, 1997

Attorneys: See last page

Address: See last page

Part F. Count and claims of the parties

Count 1

A tablet according to claim 1 of U.S. Patent No. 6,051,545

or

A detergent compact according to claim 4 of U.S. Application No. 09/380,739.

The claims of the parties are:

Lever Brothers (Boskamp), U.S. Patent No. 6,239,327:	1-15
Henkel (Rettenmaier et al.), U.S. Application No. 09/380,739:	1-5, 8-10, 12-17 and 19-27

The claims of the parties which correspond to Count 1 are:

Lever Brothers (Boskamp), U.S. Patent No. 6,239,327:	1-15
Henkel (Rettenmaier et al.), U.S. Application No. 09/380,739:	1-5, 8-10, 12-17 and 19-27

The claims of the parties which **do not** correspond to Count 1 are:

Lever Brothers (Boskamp), U.S. Patent No. 6,239,327:	None
Henkel (Rettenmaier et al.), U.S. Application No. 09/380,739:	None

Part G. Heading to be used on papers

The following heading shall be used on papers filed in the interference. See STANDING ORDER ¶ 3.5.

Filed on behalf of [name of party]

Paper ____¹

By: Name of lead counsel

Name of backup counsel

Street address

City, State, and Zip-Code

Tel:

Fax:

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Junior Party,
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Patent Interference No. 105,143 (MPT)

¹ Leave a blank line because the board assigns the paper number.

TITLE OF PAPER

Part H. Summary of dates for taking action

Times for taking action are set out in the following sections of the STANDING ORDER:

- ¶ 4: date for identifying lead and backup counsel.
- ¶ 5: date for identifying any real party in interest.
- ¶ 6: date for requesting copies of involved and benefit applications and patents.
- ¶ 7: date for accomplishing certain discovery.
- ¶ 8: date for filing clean copy of claims.
- ¶ 9: date for filing clean copy of claims in cases with drawings or claims containing a means plus function limitation.
- ¶ 10: date for filing list of proposed preliminary motions.
- ¶ 13.10.2: dates for filing oppositions to Rule 635 miscellaneous motions and dates for filing replies to oppositions.
- ¶ 14.1.1: date for objecting to admissibility of evidence.
- ¶ 14.2: date for serving supplemental affidavits or evidence to respond to objection to admissibility of evidence.
- ¶ 14.3: dates when cross-examination can take place.
- ¶ 15.2: dates for taking action with respect to settlement discussions.

Part I. Order form for requesting file copies

FILE COPY REQUEST
Interference 105,143


A copy of Part E of this NOTICE DECLARING INTERFERENCE should be attached to this FILE COPY REQUEST, with a circle by hand around the patents and applications for which a copy of a file wrapper is desired.

To facilitate processing of this FILE COPY REQUEST, the following information should be included:

1. Charge fees to USPTO Deposit Account No. _____
2. Complete address, including street, city, state, ZIP code and telephone number (do not list a Post Office box because file copies are sent via commercial overnight courier).

Telephone, including area code: _____

Part J. Signature of administrative patent judge


MICHAEL P. TIERNEY
Administrative Patent Judge

Date: 9/10/03

Enc:

Copy of STANDING ORDER

Copy of order used for setting times for taking action in the preliminary motion phase of the interference

Copy of order used for setting times for taking action in the testimony and briefing phases of the interference

Lever Brothers Co., U.S. Patent No. 6,051,545

Henkel, U.S. Application No. 09/380,739, claims 1-5, 8-10, 12-17 and 19-27

Revised May 2003

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